

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

JEREMY KEEL, JEROD BREIT, )  
HOLLEE ELLIS, FRANCES HARVEY, )  
RHONDA BURNETT, DON GIBSON, )  
LAUREN CRISS, JOHN MEINERS, )  
DANIEL UMPA, CHRISTOPHER )  
MOEHRL, MICHAEL COLE, STEVE )  
DARNELL, JACK RAMEY, and )  
JANE RUH, individually and on behalf )  
of all others similarly situated, )

Plaintiffs, )

v. )

Case No. 4:25-cv-00055-SRB

HOUSE OF SEVEN GABLES )  
REAL ESTATE, INC., WASHINGTON )  
FINE PROPERTIES, LLC; SIDE, INC.; )  
SIGNATURE PROPERTIES OF )  
HUNTINGTON, LLC; J.P. PICCININI )  
REAL ESTATE SERVICES, LLC; )  
JPFR FRANCHISING, LLC; CAIRN )  
REAL ESTATE HOLDINGS, LLC; )  
CAIRN JPFR HOLDINGS, LLC; )  
YOUR CASTLE REAL ESTATE, LLC; )  
BROOKLYN NEW YORK MULTIPLE )  
LISTING SERVICE, INC.; CENTRAL )  
NEW YORK INFORMATION )  
SERVICE, INC.; FIRST TEAM REAL )  
ESTATE - ORANGE COUNTY; SIBCY )  
CLINE, INC. )

Defendants. )

**JURY TRIAL DEMANDED**

**UNOPPOSED MOTION TO APPROVE FORM AND MANNER OF NOTICE**

Plaintiffs move for Court approval of the settlement notices in this case. This Court granted preliminary settlement approval on February 4, 2025. *See* Doc. 7. On February 5, 2025, Plaintiffs

reached an additional settlement with Sibcy Cline, Inc. and Sibcy Cline, Inc. of Kentucky (collectively, “Sibcy Cline”). Plaintiffs filed an amended complaint adding Sibcy Cline to the case (Doc. 19) and on February 7, 2024 filed a motion for preliminary approval as to Sibcy Cline (Doc. 22).<sup>1</sup> In its preliminary approval order, the Court authorized JND Legal Administration (“JND”) to implement notice. *Id.* Plaintiffs are preparing to send and publish notice for the Settlements in this case. The parties now seek to send and publish notice to the Settlement Class.

The Court has previously approved the form and manner of class notice for nine prior settlements in this *Gibson* action<sup>2</sup> and five prior settlements in the related *Burnett* action.<sup>3</sup> *See, e.g., Gibson* Doc. 161, (motion for preliminary approval of settlements and approval of notice plan); *Gibson* Doc. 163, ¶9 (Order approving notice plan); *Gibson* Doc. 292 (motion to approve form of notices); *Gibson* Doc. 296 (Order approving form of notices); *Burnett* Doc. 1319 (motion for preliminary approval of settlements and approval of notice plan); *Burnett* Doc. 1321, ¶9 (Order approving notice plan); *Burnett* Docs. 1365 and 1371 (motions to approve form of notices); *Burnett* Doc. 1366 (Order approving form of notices).

The Settlement Classes in the Settlements overlap with settlement classes that have already been issued three previous rounds of class notice in *Gibson* and *Burnett*. For this fourth notice round, in order to make efficient use of settlement funds and maximize recovery for the Class, Plaintiffs propose that JND implement a notice program substantially similar to the previous three rounds of notice, with postcards mailed to newly-obtained addresses only. This plan, pursuant to

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<sup>1</sup> If the Court grants preliminary settlement approval as to Sibcy Cline, then it will be included in the notices. If it does not, the notices will not include Sibcy Cline.

<sup>2</sup> Prior Settling Defendants in *Gibson* include Compass, Real Brokerage, Realty ONE, @properties, Douglas Elliman, Redfin, Engel & Völkers, HomeSmart, and United Real Estate. *See, e.g., Docs. 163, 297, and 348.*

<sup>3</sup> Prior Settling Defendants in *Burnett* include Anywhere, RE/MAX, Keller Williams, HomeServices, and NAR.

Rule 23(c)(2)(B), provides the “best notice practicable” to all potential Settlement Class Members who will be bound by the proposed Settlements. Accordingly, the Court should authorize the proposed notice plan.

Plaintiffs further request that the Court approve the content of the various notices being sent and published. Exhibit A is the “long form” notice that will be posted to the settlement website. Exhibit B is the “email notice” that will be sent to identified Class Members via email. Exhibit C is the “postcard notice” that will be mailed to newly identified Class Members via U.S. mail. The notices are derived from and substantially similar to the notices of settlements provided to, and approved by, the Court in this action and the *Burnett* action. *See, e.g., Burnett* Doc. 1319-1 at 76 (Keough Declaration, Exhibit B); *Burnett* Docs. 1365, 1365-1, 1365-2, 1365-3, 1366 (proposed notices and order approving form of notices in *Burnett*). These notices include the deadlines for filing objections and exclusions as well as the date of the final approval hearing. The parties further request that, in the event settlements with other Defendants in this case or related cases receive preliminary approval prior to printing and publishing the class notice materials, the notices may be modified to include notice of the additional settlements, while maintaining a substantially similar notice format. The long form notice will be posted to the website, and any new postcard notice will be mailed to Class Members at least 60 days prior to the objection/opt out deadline. The email and publication campaign will continue throughout the notice period.

The parties wish to send these notices as soon as possible and, therefore, respectfully request that the Court grant this motion without delay and authorize the parties to send notice in substantial compliance with Exhibits A-C, with the possible addition of other settling defendants.

Dated: February 10, 2025

**HAGENS BERMAN SOBOL SHAPIRO  
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